

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

JOLAN CASTILLO MANGUIN and  
CARMEN POLISTICO MANGUIN,

Plaintiffs

v.

JOHN M. BECKER, et al.,

Defendants

Case No.: 2:22-cv-01711-APG-EJY

**Order Granting Unopposed Motion to Set  
Aside and Setting Briefing Schedule for  
Defendants' Motion to Dismiss**

[ECF No. 16]

Plaintiff Jolan Castillo Manguin moves to set aside my order granting the motion to dismiss filed by defendants HSBC Bank USA National Association, Ocwen Loan Servicing LLC, PHH Mortgage Corporation, and Western Progressive-Nevada, Inc. ECF No. 16. Manguin contends that the defendants did not send him a copy of the motion. The defendants do not oppose, conceding that they failed to mail the motion to Manguin because they erroneously believed that Manguin would receive electronic notice. ECF No. 17. The defendants state that they have now mailed the motion to the plaintiffs. *Id.* at 3. Consequently, I grant the motion, direct the clerk of court to reopen the motion, and set a briefing schedule.

I note that only Jolan Manguin filed the motion, but I will nevertheless set aside the dismissal as to plaintiff Carmen Manguin as well. I remind Jolan that he cannot represent Carmen, and they both must sign a document for it to apply to both. *See C.E. Pope Equity Tr. v. United States*, 818 F.2d 696, 697 (9th Cir. 1987) (stating that a pro se litigant “has no authority to appear as an attorney for others than himself”).

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1 I THEREFORE ORDER that plaintiff Jolan Manguin's motion to set aside (**ECF No. 16**)  
2 **is GRANTED** and my order (**ECF No. 15**) **is VACATED**. The clerk of court is instructed to  
3 reinstate the motion to dismiss at ECF No. 7 as a pending motion.

4 I FURTHER ORDER that plaintiffs Jolan Manguin and Carmen Manguin shall have until  
5 January 13, 2023 to respond to the motion to dismiss. The reply brief is due in the ordinary  
6 course.

7 DATED this 22nd day of December, 2022.

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ANDREW P. GORDON  
UNITED STATES DISTRICT JUDGE